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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/620,102	07/20/2000	Purushottam Yeluripati	BEL-003	2746

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VERIZON CORPORATE SERVICES GROUP INC.
C/O CHRISTIAN R. ANDERSON
600 HIDDEN RIDGE DRIVE
MAILCODE HQEO3HO1
IRVING, TX 75038

EXAMINER

ANYA, CHARLES E

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 04/28/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/620,102

Applicant(s)

YELURIPATI ET AL.

Examiner

Charles E Anya

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: .

DETAILED ACTION

Claim Objections

1. Claim 7 is objected to because of the following informalities:

Line 11 includes the phrase "create instances of functional beans based a criterion". For the purpose of this office action the Examiner would assume that the phrase means "create instances of functional beans based on a criterion".

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "said application service program" in lines 6,7,10 and 12. There is insufficient antecedent basis for this limitation in the claim. For the purpose of this office action the Examiner would assume that the phrase means "said application program".

Claim 18 recites the limitation "wherein the middleware component" in line 1. There is insufficient antecedent basis for this limitation in the claim. For the purpose of this office action the Examiner would assume that the phrase means "wherein the object-oriented middleware component".

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 4, 6 – 12, 14, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pospisil et al (On Performance of Enterprise JavaBeans pages 1 – 11) in view of U.s. Pat. No. 6,510,550 B1 to Hightower et al.

As to claim 1, Pospisil teaches a plurality of users (“...clients...” page 2 lines 16 – 24, figure 1, “...multiple clients...” page 3 lines 27 – 30), one Application Server (EJB Server page 2 lines 5 – 24), an Application Program (EJB Server page 2 lines 5 – 24), a Client Program (“...clients...” page 2 lines 16 – 24, figure 1), a Client Interface Program (“...home interface...”, “...remote interface...” page 2 lines 19 – 24), a Service Manager bean (JNDI page 3 lines 3 – 7), a Handle (“...reference...” page 3 lines 3 – 7), a Functional Bean (“...bean...” pages 3 lines 1 – 26), a Data Store Interface (JDBC API page 3 lines 36 – 45).

Pospisil is silent with reference to memory for queuing customer/client request.

Hightower teaches a memory for queuing customer/client request (“...data store...” Col. 8 Ln. 27 – 45). It would have been obvious to apply the teaching of Hightower to the system of Pospisil. One would have been motivated to make such a modification because it allows the customer/client continuous use of local application (Col. 8 Ln. 42 – 45).

As to claim 2, Pospisil teaches an EJBObject (“...home interface...” page 2 lines 19 – 24).

As to claim 4, Pospisil teaches providing transactional persistence to a client transaction (“...persistence” page 2 Ln. 10 – 14).

As to claim 6, Pospisil teaches the client as an application (“...clients...” page 2 lines 16 – 24, figure 1), an EJBObject’ Remote Interface (“...bean’s remote interface...” page 3 lines 3 – 7) and RMI over TCP/IP or IOP (Distribution Mechanism page 6 lines 5 – 11).

As to claim 7, claim 1 covers claim 7 expect for a plurality of sets of functional beans, a particular business method, a microprocessor, a memory device, a least one of a plurality of resources, a loading-sharing program.

Pospisil teaches a plurality of sets of functional beans (object bean figure 1 page 2), at least one functional bean (“...bean...” page 2 lines 20 – 24), a particular business method (“...business methods...” page 2 lines 20 – 24), a microprocessor and a memory device (This limitations are inherent in figure 1 page 2, because the structure of the EJB server includes microprocessor and memory device for program execution), a least one of a plurality of resources (bean object figure 1), a loading-sharing program (Scalability page 7 lines 20 – 30) and a Criterion (Number of clients Number of bean instances page 7 lines 23 – 36).

As to claim 8, see the rejection of claim 7.

As to claim 9, see the rejection of claim 7.

As to claim 10, see the rejection of claim 7.

As to claim 11, Pospisil teaches receiving the first and second request from a client via a computer network (“...beans remote interface...” page 2 lines 20 – 24, page 3 lines 1- 7).

As to claim 12, see the rejection of claim 8.

As to claim 14, Pospisil teaches the instruction that allows a client to create a session (“...home interface...” page 2 lines 20 – 24, page 3 lines 1 – 2) and instructions that allows a business method to be invoked (“...business method...” page 3 lines 3 – 7).

As to claim 16, see the rejection of claim 8.

As to claim 17, Pospisil teaches finding a functional bean if system resources are not available (Finder methods...” page 3 lines 1 – 2).

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pospisil et al. (On Performance of Enterprise JavaBeans pages 1 - 11) in view of U.S. Pat. No. 6,510,550 to Hightower et al. as applied to claim 1 above, and further in view of U.S. Pat. No. 2002/0104071 A1 to Charisius et al.

As to claim 3, Pospisil is silent with reference to a modified entity bean.

Charisius teaches a modified entity bean (paragraph 0020 lines 63 – 67, 1 – 9). It would have been obvious to apply the teaching of Charisius to the system of Pospisil. One would have been motivated to make such a modification to provide a modified security behavior (paragraph 0020 lines 5 – 9).

Claims 5, 13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pospisil et al (On Performance of Enterprise JavaBeans) in

view of U.S. Pat. No. 6,510,550 to Hightower et al. as applied to claim 10 above, and further in view of Matena et al. (Sun Microsystems Enterprise JavaBeans).

As to claim 5, Pospisil is silent with reference to the client being web-based. Matena teaches the client as being web-based (“...HTTP...” page 112 lines 7 –10). It would have been obvious to apply the teaching of Matena to the system of Pospisil. One would have been motivated to make such modification to provide a servlet invocation (page 112 lines 7 – 10).

As to claim 13, Pospisil is silent with reference to a functional bean instantiating/creating another functional bean. Matena teaches functional bean instantiating/creating another functional bean (Update of multiple of databases page 96 lines 18 – 26, page 97 lines 1 – 16: NOTE: Although instantiating/creating is not explicitly taught in the invocation/call of Bean Y, if it does not exist the home interface would have to instantiate/create it). It would have been obvious to apply the teaching of Matena to the system of Pospisil as modified. One would have been motivated to make such a modification to provide updates to several databases (page 96 lines 18 – 26).

As to claim 15, Pospisil teaches creating/instantiating of an Entity Enterprise JavaBean (“...bean object...” page 3 lines 3 – 7) and invoking methods contained in the entity enterprise javabean (“...Business method...” page 3 lines 3 – 7). Pospisil does not explicitly teach logic that maps a particular entity and methods to perform actions on the particular entity.

Matena teaches logic that maps a particular entity and methods to perform actions on the particular entity (page 59 lines 1 – 20, page 62 lines 1 – 40). It would have been obvious to apply the teaching of Matena to the system of Pospisil as modified. One would have been motivated to make such a modification to provide service to an invocation (page 62 lines 13 - 18).

Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,298,478 B1 to Nally et al. in view of U.S. Pat. 6,510,550 to Hightower et al.

As to claim 18, Nally teaches an Object-Oriented Middleware Component (Entity Version Bean 520 Col. 13 Ln. 4 – 44), Functional Bean (EJB 500), a derived class/ adding a set of computer- execution instructions (logic or behavior 540...” Col. 13 Ln. 21 – 44, Business Logic 540 figure 5), using the set of computer-executable instructions to provide transactional access (Col. 13 Ln. 35 – 44) and a Pool of Scarce system resource (Version 520, Version 521, Version 522 Col. 13 Ln. 56 – 65).

Nally is silent with respect to the step of allowing client requests to be queued.

Hightower the step of allowing client requests to be queued (“...data store...” Col. 8 Ln. 27 – 45). It would have been obvious to apply the teaching of Hightower to the system of Nally. One would have been motivated to make such a modification because it allows the customer/client continuous use of local application (Col. 8 Ln. 42 – 45).

As to claim 19, Nally teaches the object-oriented middleware component as an entity Enterprise JavaBean (EJB 500).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (703) 305-3411. The examiner can normally be reached on M-F (8:30-5:30) First Friday off.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7240 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Charles E Anya
Examiner
Art Unit 2126

